

REMARKS

Claims 1, 4-7, 16, and 26-27 are pending in the present application. Claims 1, 16, and 27 have been amended as described elsewhere herein. No new matter has been added by way of amendment. Reconsideration and withdrawal of the rejection of claims are respectfully requested.

The Objection to the Specification Should be Withdrawn

The Examiner has objected to the Abstract of the Disclosure. Applicants believe that the original Abstract complies with the requirements of 37 C.F.R. §1.72. Nevertheless, in order to expedite prosecution, Applicants submit herewith a revised replacement Abstract on a separate sheet as requested by the Examiner.

The Rejection Under 35 U.S.C. §112, First Paragraph, Should be Withdrawn

Claims 1, 4-7, and 16 have been rejected under 35 U.S.C. §112, first paragraph, on the grounds that the specification does not enable the full scope of these claims. Specifically, the Examiner states that solvates of the compounds listed in claim 1 and compounds in which R¹ is anything other than C₁-C₆ alkyl, C₁-C₆ alkoxy, halogen, or C₁-C₆ haloalkyl and R³ is anything other than N(R⁸) are not enabled. The rejection has been interpreted to apply to compounds where R¹ is anything other than **phenyl** optionally substituted with C₁-C₆ alkyl, C₁-C₆ alkoxy, halogen, or C₁-C₆ haloalkyl, and Q is anything other than N(R⁸).

35 U.S.C §112, first paragraph, does not require that Applicants provide working examples for every species falling within the scope of the genus recited in claim 1 in order to enable this genus. Nevertheless, in order to expedite prosecution, claims 1 and 16 have been amended to delete the term "solvate," and claim 1 has been amended to delete compounds other than those wherein R¹ is phenyl optionally substituted with C₁-C₆ alkyl, C₁-C₆ alkoxy, halogen, or C₁-C₆ haloalkyl and Q is N(R⁸). The amendments are made without prejudice to or disclaimer of the subject matter contained therein. Applicants expressly reserve the right to file continuing applications directed to the deleted subject matter.

In view of the above amendments, all grounds for rejection under 35 U.S.C. §112, first paragraph, have been obviated. Reconsideration and withdrawal of the rejections are therefore respectfully requested.

The Rejection Under 35 U.S.C. §112, Second Paragraph, Should be Withdrawn

Claims 16 and 27 have been rejected under 35 U.S.C. §112, second paragraph, on the grounds that the phrase "therapeutically effective amount" is indefinite. Applicants respectfully disagree with the rejection on the grounds that one of ordinary skill in the art, reading the claims in light of the supporting specification (including the definition of the phrase "therapeutically effective amount" found on page line 34 of page 19 through line 4 of page 35 of the specification) would be able to ascertain the metes and bounds of these claims. Nevertheless, in order to expedite prosecution, claims 16 and 27 have been amended to delete the phrase "therapeutically effective amount" as suggested by the Examiner.

In view of the above amendments, all grounds for rejection under 35 U.S.C. §112, second paragraph, have been obviated. Reconsideration and withdrawal of the rejection are therefore respectfully requested.

CONCLUSION

It is believed that the current application is now in condition for allowance. Early notice to this effect is solicited. If, in the opinion of the Examiner, an interview would expedite prosecution, the Examiner is invited to call the undersigned.

Applicants believe that no fees are due in connection with the filing of this paper other than those specifically authorized herewith. However, should any other fees be deemed necessary to effect the timely filing of this paper, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 07-1392.

Respectfully submitted,



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